

HOUSE BILL No. 1084

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-10.1.

Synopsis: Pledge of Allegiance and moment of silence. Requires the display of a United States flag in each classroom of a school corporation and allows a school corporation to provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance, with an exemption for those students who choose (or whose parents choose for them) not to participate in the pledge. Allows a school corporation to establish the daily observance of a 30 second period of silence in each classroom. Repeals a current law allowing an optional brief period of silent prayer or meditation.

Effective: July 1, 2003.

Goodin

January 7, 2003, read first time and referred to Committee on Education.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-10.1-4-0.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2003]: **Sec. 0.5. (a) The United States flag**
4 **shall be displayed in each classroom of each school in a school**
5 **corporation.**

6 **(b) The governing body of each school corporation may provide**
7 **a daily opportunity in each classroom of the school corporation for**
8 **students to voluntarily recite the Pledge of Allegiance. A student is**
9 **exempt from participation in the Pledge of Allegiance and may not**
10 **be required to participate in the Pledge of Allegiance if:**

11 **(1) the student chooses to not participate; or**

12 **(2) the student's parent chooses not to have the student**
13 **participate.**

14 SECTION 2. IC 20-10.1-4-3.5 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2003]: **Sec. 3.5. (a) In order to guarantee the**
17 **right of every pupil to the free exercise of religion within the**



1 schools and to subject the freedom of each individual pupil to the
 2 least possible pressure from the state either to engage in or to
 3 refrain from religious observance on school grounds, the
 4 governing body of each school corporation may establish the daily
 5 observance of a thirty (30) second period of silence in each
 6 classroom of the school corporation.

7 (b) During the thirty (30) second period of silence that
 8 subsection (a) provides, the teacher responsible for a classroom
 9 shall ensure that all students remain seated and silent and make no
 10 distracting display to the end that each student may, in the exercise
 11 of the student's individual choice, engage in any silent activity that
 12 does not interfere with, distract, or impede other students in their
 13 exercise of individual choice.

14 SECTION 3. IC 20-10.1-7-8 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. ~~Voluntary Religious~~
 16 ~~Observance = Authorized.~~ A voluntary religious observance is
 17 permitted in each school corporation if the school corporation follows
 18 sections 9 and 10 and 11 of this chapter and any additional procedures
 19 which it adopts to assure that the observance is voluntary.

20 SECTION 4. IC 20-10.1-7-11 IS REPEALED [EFFECTIVE JULY
 21 1, 2003].

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